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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,767	03/16/2004	Kazumoto Kondo	09812.0413	3421
22852	7590	02/06/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER PARKER, BRANDON	
			ART UNIT	PAPER NUMBER
			2174	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,767	<b>Applicant(s)</b> KONDO ET AL.	
	<b>Examiner</b> BRANDON PARKER	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 13-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

*Claims 13-30 remain pending in the application.*

### ***Response to Arguments***

Applicant's arguments, see Angiulo et al (US Publication 20020135621 hereinafter, "Angiulo"). filed 11/12/2008, with respect to the rejection(s) of claim(s) 13-30 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Angiulo et al (US Publication 20020135621 hereinafter, "Angiulo").

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitaka et al (US Publication 2003/0220995 hereinafter, "Hitaka") in view of Angiulo et al (US Publication 20020135621 hereinafter, "Angiulo").

Regarding claim 13, Hitaka discloses an information processing system comprising a data storage apparatus for storing a plurality of pictures (Par. 0124 lines 1 and 2), a plurality of picture URLs associated with the plurality of pictures, a plurality of thumbnail

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pictures associated with the plurality of pictures, and a plurality of thumbnail picture URLs associated with the plurality of thumbnail pictures (Par. 0125 lines 1-4, Par. 0459 lines 1-3, Par. 0208 lines 1-16), the data storage apparatus (i.e. photo site) providing the plurality of thumbnail pictures (Par. 0124 lines 1 and 2) and the plurality of thumbnail picture URLs to a first viewing apparatus and a second viewing apparatus (Par. 0208 lines 1-16);

a connection apparatus for connecting the first viewing apparatus and the second viewing apparatus (Hitaka Claim 1) over a network (Internet, Fig. 1 Drawing);

Hitaka discloses a first viewing apparatus but does not explicitly show the first viewing apparatus comprising: a first display unit for displaying the plurality of thumbnail pictures received from the data storage apparatus and for displaying a first cursor at a location of one of the plurality of thumbnail pictures, wherein the first cursor is moved on the first display unit based on a user input; a second display unit for displaying the plurality of thumbnail pictures received from the data storage apparatus (Martin Claim 1) ; and a receiving unit for receiving the new thumbnail picture URL transmitted by the transmitting unit of the first viewing apparatus, whereby the second display unit is refreshed to display the second cursor in a new location of a new thumbnail picture associated with the new thumbnail picture URL received from the first viewing apparatus. However Hitaka discloses transferring image data stored in a first

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information processing apparatus (photo site)/a first display unit to a second information processing apparatus (print site)/second display unit, (Abstract)

Angiulo discloses "a user to select an individual thumbnail to edit or delete, and to select one or more additional original images that will be represented by corresponding additional thumbnail images in the gallery on the Web page" and the "user can drag and drop the one or more additional original images onto the gallery on the Web page to indicate the selection" (Par. 0012) Furthermore Arguilo discloses a thumbnail representation is generated from the displayed visual representation and the first and second locations are then associated with the thumbnail (Col. 7 lines 40-46, Abstract), wherein enabling a user to drag and drop said at least one additional original image onto said Web page, a corresponding thumbnail for each additional original image and a hyperlink between said corresponding thumbnail and each additional original image (Arguilo Claim 46)

a detecting unit for detecting a movement of the first cursor and for specifying a new thumbnail picture at a new location of the first cursor and a transmitting unit for transmitting a new thumbnail picture URL associated with the new thumbnail picture specified ("a user can select a plurality of images, and then drag the images over the photo gallery, causing the images to be added and automatically "thumb nailed," for use in the photo gallery. The images thus selected will be added to the end of list of images already included in the photo gallery", Par. 0112) by the detecting unit to the second viewing apparatus Note: Martin discloses the drag and drop discloses a cursor has

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indicated a selection from one area to the other wherein the cursor is refreshed or located in the dropped area (i.e. photo gallery). It is understood the first cursor is identified when the image is selected to be dragged and the second cursor is refreshed when dropped in the new location. Note, Note that a first item in the list displayed, "HOCKEY.JPG," is shown as being highlighted, indicating that a user has selected that image, (Par. 0044), therefore the highlighted selected image is dragged into the second location (i.e. gallery window).

It would have been obvious to one skilled in the art at the time of invention to combine the drag and drop feature as taught by Argiulo with the information processing system of Hitaka to efficiently transfer images from one apparatus to another.

Claims 22 and 28 are similar in scope to claim 13 and are rejected for at least the same reasons.

Regarding claim 14, Hitaka discloses an information processing system of claim 13, wherein, when enlarging a thumbnail picture selected by the first cursor on the first display unit, the first viewing apparatus sends a thumbnail picture URL (i.e. thumbnail URL) associated with the thumbnail picture to the data storage apparatus (i.e. print site), (Par. 0406 lines 1-4);

the data storage apparatus provides a picture (i.e. image) and a picture URL (i.e. URL) associated with

the thumbnail picture URL to the first viewing apparatus (Par. 0406 lines 4-8); the first display unit displays the picture ; and

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the first viewing apparatus (i.e. information processing apparatus) transmits (i.e. transfers) the picture URL to the second viewing apparatus (i.e. another information processing apparatus), (Hitaka Claim 4).

Claims 23 and 29 are similar in scope to claim 14 and are rejected for at least the same reasons.

Regarding claim 15, Hitaka discloses an information processing system of claim 13, wherein at least one of the picture, the picture URL, the thumbnail picture, and the thumbnail picture URL is transmitted from the first viewing apparatus to the second viewing apparatus through the connection apparatus (Hitaka Claim 4).

Claims 24 and 30 are similar in scope to claim 15 and are rejected for at least the same reasons.

Regarding claim 16, Hitaka discloses an information processing method comprising: storing a plurality of pictures, a plurality of picture URLs associated with the plurality of pictures (i.e. URLs), a plurality of thumbnail pictures associated with the plurality of pictures (i.e. thumbnail URL), and a plurality of thumbnail picture URLs associated with the plurality of thumbnail pictures (i.e. images) in a data storage apparatus (i.e. photo site), (Par. 0127 lines 1-7);

providing the plurality of thumbnail pictures and the plurality of thumbnail picture

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URLs(i.e. thumbnail image acquisition URL) from the data storage apparatus to a first viewing apparatus and a second viewing apparatus (i.e. photo site), (Par. 0322 lines 1-4);

displaying the plurality of thumbnail pictures received from the data storage apparatus on a first display unit of the first viewing apparatus (Par. 0322 lines 1-4);

displaying a first cursor at a location of one of the plurality of thumbnail pictures on the first display unit (Par. 0323 lines 3-5);

displaying the plurality of thumbnail pictures received from the data storage apparatus on a second display unit of the second viewing apparatus (Par. 0323 lines 3-5);

displaying a second cursor at a location of one of the plurality of thumbnail pictures on the second display unit (Par. 0128 lines 1-5).

connecting the first viewing apparatus and the second viewing apparatus over a network via a connection apparatus (Par. 0223 lines 1-12, Par. 0324 lines 1-4);

receiving, at the first viewing apparatus, a user input for moving the first cursor (Par. 0252); moving the first cursor on the first display unit based on the received user input (Par. 0252); detecting a movement of the first cursor; specifying a new thumbnail picture at a new location of the first cursor (Par. 0252); Note: Hitachi discloses a method of moving a cursor/button used to select an album wherein a cursor is moved from one thumbnail picture to a specified new thumbnail picture (Par. 0252).

transmitting a new thumbnail picture URL associated with the new thumbnail picture from the first viewing apparatus to the second viewing apparatus (Par. 0169 lines 7-11);



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receiving, at the second viewing apparatus, the new thumbnail picture URL transmitted from first viewing apparatus (Par. 0321 lines 3-5); and

Hitaka discloses a first viewing apparatus but does not explicitly show refreshing the second display unit to display the second cursor at a new location.

Angiulo discloses "a user to select an individual thumbnail to edit or delete, and to select one or more additional original images that will be represented by corresponding additional thumbnail images in the gallery on the Web page" and the "user can drag and drop the one or more additional original images onto the gallery on the Web page to indicate the selection" (Par. 0012) Furthermore Arguilo discloses a thumbnail representation is generated from the displayed visual representation and the first and second locations are then associated with the thumbnail (Col. 7 lines 40-46, Abstract), wherein enabling a user to drag and drop said at least one additional original image onto said Web page, a corresponding thumbnail for each additional original image and a hyperlink between said corresponding thumbnail and each additional original image (Arguilo Claim 46)

a detecting unit for detecting a movement of the first cursor and for specifying a new thumbnail picture at a new location of the first cursor and a transmitting unit for transmitting a new thumbnail picture URL associated with the new thumbnail picture specified ("a user can select a plurality of images, and then drag the images over the photo gallery, causing the images to be added and automatically "thumb nailed," for use in the photo gallery. The images thus selected will be added to the end of list of images already included in the photo gallery", Par. 0112) by the detecting unit to the second

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viewing apparatus Note: Martin discloses the drag and drop discloses a cursor has indicated a selection from one area to the other wherein the cursor is refreshed or located in the dropped area (i.e. photo gallery). It is understood the first cursor is identified when the image is selected to be dragged and the second cursor is refreshed when dropped in the new location. Note, Note that a first item in the list displayed, "HOCKEY.JPG," is shown as being highlighted, indicating that a user has selected that image, (Par. 0044), therefore the highlighted selected image is dragged into the second location (i.e. gallery window).

It would have been obvious to one skilled in the art at the time of invention to combine the drag and drop feature as taught by Argiulo with the information processing system of Hitaka to efficiently transfer images from one apparatus to another.

Claims 19 and 25 are similar in scope to claim 16 and are rejected for at least the same reasons.

Regarding claim 17, Hitaka discloses an information processing method of claim 16, further comprising enlarging a thumbnail picture selected by the first cursor on the first display unit by:

transmitting a thumbnail picture URL associated with the thumbnail picture from the first viewing apparatus to the data storage apparatus (Par. 0223 lines 1-12, Par. 0324 lines 1-4);

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transmitting (i.e. transferring) a picture and a picture URL associated with the thumbnail picture

URL from the data storage apparatus to the first viewing apparatus (Hitaka Claim 4);

displaying the picture on the first display unit (Par. 0323 line 1-5); and

transmitting the picture URL from the first viewing apparatus to the second viewing apparatus (Hitaka Claim 4).

Claims 20 and 26 are similar in scope to claim 17 and are rejected for at least the same reasons.

Regarding claim 18, Hitaka discloses an information processing method of claim 16, further comprising transmitting at least one of the picture, the picture URL, the thumbnail picture, and the thumbnail picture URL from the first viewing apparatus to the second viewing apparatus through the connection apparatus (Par. 0128 lines 1-5).

Claims 21 and 27 are similar in scope to claim 18 and are rejected for at least the same reasons.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON PARKER whose telephone number is (571)270-1302. The examiner can normally be reached on Monday thru Friday 730- 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brandon Parker  
Examiner  
Art Unit 2174

/Joshua D Campbell/  
Examiner, Art Unit 2178